

Division 3. Air Resources Board

Chapter 3.5. Heavy-Duty Diesel Smoke Emission Testing, and Heavy-Duty Vehicle Emission Control System Inspections

§ 2180.1. Definitions.

(a) The definitions of this section supplement and are governed by the definitions set forth in Chapter 2 (commencing with section 39010), Part 1, Division 26 of the Health and Safety Code. The following definitions shall govern the provisions of this chapter.

(1) "ARB post-repair inspection" means a repeat emission control system inspection, conducted by the Air Resources Board at an Air Resources Board-specified site, for the purpose of clearing a citation.

(2) "ARB post-repair test" means a repeat test, conducted by the Air Resources Board at an Air Resources Board-specified site, for the purpose of clearing a citation.

(3) "Basic penalty" means the civil penalty of (\$500) for a test procedure or emission control system inspection violation that is to be deposited in the Vehicle Inspection and Repair Fund.

(4) "Citation" means a legal notice issued by the Air Resources Board to the owner of a heavy-duty vehicle requiring the owner to repair the vehicle and to pay a civil penalty.

(5) "Defective" means a condition in which an emission control system or an emission control system component is malfunctioning due to age, wear, malmaintenance, or design defects.

(6) "Demonstration of correction" means the documents identified in section 2186(a) or successful completion of an ARB post-repair test or inspection.

(7) "Driver" has the same meaning as defined in California Vehicle Code section 305.

(8) "Emission control label" means the label required by the "California Motor Vehicle Emission Control Label Specifications", incorporated by reference in 13 CCR, section 1965, or Title 40, Code of Federal Regulations (40 CFR), section 86.085-35 or 40 CFR Part 86, Subpart A.

(9) "Emission control system" means the pollution control components on an engine at the time its engine family is certified, including, but not limited to, the emission control label.

(10) "Executive Officer" means the Executive Officer of the Air Resources Board or his or her designee.

(11) "Fleet" means two (2) or more heavy-duty vehicles.

(12) "Heavy-duty vehicle" means a motor vehicle having a manufacturer's maximum gross vehicle weight rating (GVWR) greater than 6,000 pounds, except passenger cars.

(13) "Inspection procedure" means the test procedure specified in section 2182 and the emission control system inspection specified in section 2183.

(14) "Inspection site" means an area including a random roadside location, a weigh station, or a fleet facility used for conducting the heavy-duty vehicle test procedure, emission control system inspection, or both.

(15) "Inspector" means an Air Resources Board employee with the duty of enforcing Health and Safety Code sections 43701(a) and 44011.6 and Title 13, CCR sections 2180 through 2194.

(16) "Issuance" means the act of mailing or personally delivering a citation to the owner.

(17) "Minimum penalty" means the (\$300) penalty that is to be deposited in the Diesel Emission Reduction Fund pursuant to Health and Safety Code section 44011.6(l).

(18) "Notice of Violation" means a legal notice issued to the owner of a heavy-duty vehicle powered by a pre-1991 model-year diesel engine with a measured smoke opacity exceeding 55 percent but not exceeding 69 percent, requiring the owner to repair the vehicle and submit a demonstration of correction.

(19) "Officer" means a uniformed member of the Department of the California Highway Patrol.

(20) "Opacity" means the percentage of light obstructed from passage through an exhaust smoke plume.

(21) "Owner" means either (A) the person registered as the owner of a vehicle by the California Department of Motor Vehicles (DMV), or its equivalent in another state, province, or country; or (B) a person shown by the registered owner to be legally responsible for the vehicle's maintenance. The person identified as the owner on the registration document carried on the vehicle at the time a citation is issued shall be deemed the owner unless that person demonstrates that another person is the owner of the vehicle.

(22) "Removal from service" means the towing and storage of a vehicle under the auspices of the Department of the California Highway Patrol.

(23) "Repair facility" means any place where heavy-duty vehicles are repaired, rebuilt, reconditioned, or in any way maintained for the public at a charge, and fleet maintenance facilities.

(24) "SAE J1667" means Society of Automotive Engineers (SAE) Recommended Practice SAE J1667 "Snap-Acceleration Smoke Test Procedure for Heavy-Duty Diesel Powered Vehicles," as issued February 1996 ("1996-02"), which is incorporated herein by reference.

Board Administration and Regulatory Coordination Unit

Division 3. Air Resources Board

Chapter 3.5. Heavy-Duty Diesel Smoke Emission Testing, and Heavy-Duty Vehicle Emission Control System Inspections

(25) "Schoolbus" means the same as defined in California Vehicle Code section 545.

(26) "Smokemeter" means a detection device used to measure the opacity of smoke in percent opacity.

(27) "Tampered" means missing, modified, or disconnected.

(28) "Uncleared citation" means a citation for which demonstration of correction and, if required, payment of any civil penalty, has not been made.

NOTE: Authority cited: Sections 39600, 39601, 43013 and 44011.6, Health and Safety Code. Reference: Sections 39002, 39003, 39010, 39033, 43000, 43013, 43018 and 44011.6, Health and Safety Code. Section 505, Vehicle Code.

REFERENCE